

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Jennifer Bryant,

Plaintiff,

v.

Sterling & Seymour, LLC
c/o Julie Atti Rogers, registered agent
487 Main Street, Suite 400
Buffalo, NY 14203

Defendant.

Case No.

COMPLAINT

Jury Demand Requested

JURISDICTION AND VENUE

- 1- This court has jurisdiction pursuant to 28 U.S.C. §1331 and 15 U.S.C. §1692k(d).
- 2- Venue is proper because a substantial part of the events giving rise to this claim occurred in this District.

PARTIES

- 3- Plaintiff is a resident of the State of Illinois.
- 4- Plaintiff incurred an obligation to pay money, the primary purpose of which was for personal, family, or household uses (the "Debt").
- 5- Defendants are corporations with their principal place of business in the State of New York.
- 6- Defendants are interrelated entities and the term "Defendant" shall herein refer to both Defendants collectively.
- 7- Defendant uses instruments of interstate commerce for its principal purpose of business, which is the collection of debts.
- 8- Defendant regularly attempts to collect, or attempts to collect, debts owed or due another.

9- At all times relevant, Defendant owned the Debt or was retained to collect the Debt.

FACTS COMMON TO ALL COUNTS

10- On or around July 27, 2011, Defendant telephoned Plaintiff about the Debt.

11- During this communication, Defendant threatened to send a summons to Plaintiff's home, primary employer, and secondary employer if Plaintiff did not pay the Debt.

12- During this Communication, Defendant threatened to freeze Plaintiff's bank accounts for 6 weeks if Plaintiff did not pay the Debt.

13- Defendant damaged Plaintiff.

14- Defendant violated the FDCPA.

COUNT I

15- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

16- Defendant violated 15 USC § 1692e(2) by misrepresenting the character, amount, and/or legal status of the debt.

COUNT II

17- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

18- Defendant violated 15 USC § 1692e(5) by threatening to take action that it could not legally take.

COUNT III

19- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

20- Defendant violated 15 USC § 1692e(5) by threatening to take action that it did not intend to take.

COUNT IV

21- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

22- Defendant violated 15 USC § 1692e(10) by making false representations during the collection, or attempted collection, of a debt.

COUNT IV

23- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

24- Defendant violated 15 USC § 1692f by using unfair and unconscionable means to collect or attempt to collect a debt.

JURY DEMAND

25- Plaintiff demands a trial by jury.

PRAYER FOR RELIEF

26- Plaintiff prays for the following relief:

- a. Judgment against Defendant for Plaintiff's actual damages, as determined at trial, suffered as a direct and proximate result Defendant's violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(1);
- b. Judgment against Defendant for \$1,000 in statutory damages for Defendant's violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(2)(A);
- c. Judgment against Defendant for Plaintiff's reasonable attorneys' fees and costs incurred in this action, pursuant to 15 U.S.C. §1692k(a)(3);
- d. Any other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

By: /s/ Richard J. Meier
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